



# THE CITIZENS' COUNCIL

Dedicated to the maintenance of peace, good order and domestic tranquility in our Community and in our State and to the preservation of our States' Rights

Vol. 4, No. 2

OFFICIAL PAPER OF THE CITIZENS' COUNCILS OF AMERICA—NOVEMBER 1958

Jackson, Mississippi

## Court Upholds Voting Laws

For Little Rock Schools--

### Dixie Aids In Drive For Funds

The Little Rock Private School Corporation is receiving financial support from citizens in every Southern state and many parts of the North.

The president of the corporation, Dr. T. J. Raney, says about one-fourth of the estimated \$600,000 needed to keep the private, all-white school in operation for a full school year has been received.

Recent group contributions have come from Citizens' Councils in Mississippi and Louisiana, and from a Mississippi school board.

#### WORK AROUND-THE-CLOCK

In Louisiana, the Morehouse Parish Citizens' Council raised \$11,000 in a three-day drive on the town square in Bastrop, La. Volunteers surpassed their \$10,000 goal to ring the courthouse with silver dollars in the "Four Blocks For Little Rock" campaign. About 100 drive workers rotated on 24-hour duty for the three days.

Council president E. F. Madison says even Negroes contributed. Bastrop's population is about 45 per cent Negro.

"It is hoped this will be an example in the South and elsewhere to show what can be accomplished in a small county with a unified effort," Madison said, adding that similar drives were underway in Union, Wynne, and West Carroll parishes.

Madison and about 25 other persons, including Bastrop mayor A. P. Carter, went to Little Rock to present the \$11,100 check to Governor Orval Faubus. Faubus in turn handed the check to Dr. Raney.

#### TO STAND FIRM

"We sincerely appreciate and gratefully receive this check," Faubus said. "Other Americans now and in times past have made sacrifices to preserve this country. I have every confidence the people here will stand firm. I don't see how we can do less."

Dr. Raney said the contribution boosted the total received to the \$150,000 mark. He said he received nearly \$20,000 in Shreveport, La., a few days earlier at a mass meeting.

In Mississippi, the Holmes County Citizens' Council is sponsoring a "Dollars For Little Rock" drive, with local banks accepting donations.

#### SCHOOL BOARD HELPS

And in Fayette, Miss., the Jefferson County Citizens' Council collected \$412 to help support Little Rock's private schools. Council president W. M. Drake said the donation was to "help in the fight to preserve constitutional government."

Governor Faubus received six checks totaling \$73.64 from the school board of Neshoba County, Miss. The checks represented the board members' pay for attending the last board meeting.

School board chairman Joe R. Miller of Macon, Miss., wrote Faubus that the board "heartily endorses your efforts and are proud of the stand you have taken to preserve segregation."

### Virginia Schools Need Money, Too

Funds are being sought to operate private, segregated schools in Virginia. Under the state's "Massive Resistance" plan, public high schools in Norfolk, Charlottesville and Front Royal were closed this fall, rather than opened to Negroes. And several schools in Arlington face closure at the end of the current semester, when Federal court integration orders are due to take effect.

To help operate private schools for white students, the Virginia Educational Fund has been formed, headed by former governor Stanley and with the support of a host of prominent citizens.

Donations from the public, in any amount, are welcomed. Contributions should be sent to:

Virginia Educational Fund  
R. A. Hord, Jr., Treasurer  
628 Hotel John Marshall  
Richmond, Virginia.

### The Mau Maus Are Coming!



### 'Nuf Said?

A brief collection of related facts:

"Ebony" is a magazine published by Negroes for Negroes.

Medgar Evers is a Mississippi Negro, the state's field secretary for the NAACP.

The November issue of "Ebony" contains an article by Medgar Evers, "Why I Live In Mississippi."

Some quotes from that article:

"He reads extensively of Jomo Kenyatta's Mau Mau reign of terror in Africa, and dreamed of arming his own band of blackshirts and extracting an 'eye for an eye' from whites who mistreated their black brothers."

"... his dream of an American 'Mau Mau' band, roaming the Delta in search of blood."

"I'll be damned if I'm going to let the white man lick me."

Evers' first child is named Darrell Kenyatta Evers.

A Jackson Negro editor, Percy Greene, commented that Evers had "labeled himself as a fanatic and a fool."

#### More Troubles For Darby

Negro H. D. Darby, who filed the voting suit referred to in this issue, found himself in more hot water this month.

Darby, who now is minister of a colored church in Madison County, Miss., faced removal from his pastorate because church officials said he spent too much time promoting the NAACP.

To Darby's claim that only the bishop could remove him from his post, lay leaders replied that if the bishop didn't act, they'd "get rid of Darby one way or the other."

In line with the Red's racial drive, a new campaign has been launched to agitate around camps and lodges. Hundreds of Camps and Lodges were visited by colored Communists seeking vacation spots; letters were written from New York addresses, asking for reservations in the camps. Results are being interpreted for propaganda by the Reds, whose own camps are all inter-racial.

National Republic  
Courage consists not in blindly overlooking danger, but in seeing it and conquering it.—(Sydney Smith)

Laws that do not embody public opinion can never be enforced.—(Elbert Hubbard)

### FBI Is Target Of Left-Wing Press, Legion Chief Says

The left-wing press has launched a "smear campaign" against the FBI, the national commander of the American Legion said recently. Commander Preston Moore pointed out that two magazines have recently published attacks on the FBI, and a New York newspaper has assigned reporters to seek derogatory material about FBI officials.

Moore points out that "Rights" magazine, which devoted its entire October issue to "a biased, one-sided attack on the FBI," has been cited as a Communist-front publication by the Senate Judiciary Committee.

A weekly magazine, "The Nation," also used an entire recent issue for an anti-FBI article which Moore called "60 pages of distortion, half-truths, and innuendoes."

"Such irresponsible journalism will not blind the American Legion to the need of the FBI investigating the Communist conspiracy," Moore declared. "We insist that our people should reaffirm their faith in the FBI by insisting that they push more vigorously than ever their investigation and exposure of Communist traitors in our midst."

The top Legion official also disclosed that the New York Post, an extreme left-wing newspaper, has assigned reporters "to skulk around restaurants and other public places in the hope of digging up information that could be used against the FBI and its director, J. Edgar Hoover." Moore adds that Post reporters have even approached former FBI agents and requested derogatory material.

#### We've Moved

Jackson headquarters of the Citizens' Council has moved into a new suite of offices, just two floors below the old location.

The new offices, Room 813, Plaza Building, provide a considerable increase in space, and will permit the Council to render better service.

More room is provided for the staff of this paper, for work on the "Citizens' Council Forum" TV and radio series, and for the continuing growth of the Jackson Citizens' Council, already one of the South's largest.

We invite you to visit us at any time we may be of service. Our telephone number remains unchanged—Fleetwood 2-4456.

### Mississippi's Literacy Test Praised By Federal Judges Who Reject NAACP Suit

A three-judge Federal court has upheld the constitutionality of Mississippi's voter registration laws. The court praised the state for stiffening the literacy test required of applicants for registration.

In a strongly-worded 47-page decision, the court dealt a sharp rebuff to the NAACP, which had sponsored the lawsuit. Arguments on the case were heard in Jackson last July, and the opinion was handed down Nov. 6.

#### EDITOR'S NOTE

The highly-significant Federal court decision upholding the constitutionality of Mississippi's voter registration laws has been hailed by top legal authorities as a major victory for the concept of States' Rights.

Unfortunately, few, if any, citizens in other parts of the nation are aware that this decision has even been handed down, much less of the strong wording the three eminent jurists employed in writing the opinion.

This is because those who control the country's means of mass communications have seen fit to withhold this opinion from the public, perhaps because they disagree with it, or perhaps in fear of offending some sensitive souls by revealing the highly-illuminating ineptitude displayed by the Negro plaintiffs.

We suggest that as soon as you have finished reading this issue, you pass it on to a friend, or mail it to a relative or acquaintance in the North. In this way, public awareness of this important decision can be increased.

Extra copies of this issue are available upon request. Just drop us a line, telling how many copies you can put to good use. Our address: Citizens' Council, 813 Plaza Building, Jackson, Miss.

You can help penetrate the Northern censorship blockade. Do your part!

### Lawyer Expresses Profound Disrespect For Supreme Court

A Shreveport, La., attorney has asked that his name be removed from the roll of attorneys admitted to practice before the U. S. Supreme Court.

Harvey Broyles, a Shreveport attorney specializing in oil and gas cases, asked the Supreme Court to remove his name because of his "profound disrespect" for the tribunal.

The court granted the request without comment. Broyles was admitted to practice before the Supreme Court May 2, 1947.

In a letter dated this October 2, Broyles stated: "In view of my profound disrespect for the Court as now constituted, I am no longer proud to be an officer of the Court."

"In my opinion the Supreme Court has flagrantly violated the doctrine of Stare Decisis (previously-decided issues); has unduly stressed certain constitutional provisions, and completely ignored others; has ignored obvious legislative intent; and has patently violated all other established rules of interpretation of laws and constitutional provisions," Broyles wrote.

"I share the opinion of many millions of Americans that the Supreme Court has substituted its own ideals, by judicial fiat, for established legislative processes," Broyles concluded.

Court attaches say Broyles is one of the few attorneys to take such action since the 1954 Black Monday decision.

#### NEW FEATURE ADDED

A column featuring news of local Councils and their activities begins on page 4 of this issue.

Please let us know if you would like to see this new feature continued on a regular basis.

Officers and members of local Councils are invited to submit news of their groups which they feel would be of interest to other Council members.

The suit was filed by H. D. Darby, a Negro minister, "on behalf of himself and others similarly situated." James Daniel, circuit clerk of Jefferson Davis county, and state Attorney General Joe Patterson were named as defendants.

The NAACP-financed suit claimed that Daniel, whose duties as circuit clerk include acting as registrar of voters, refused to register Darby and other Negroes in the county because of their race. An elderly Negro woman, Rutha Dillon, who is past 80, was permitted to join Darby as a plaintiff after the case was heard.

At issue was a 1954 Constitutional amendment, which increased literacy requirements by providing that all applicants for voter registration must read any designated section of the Mississippi Constitution; write a reasonable interpretation of it; and write a short essay on the duties of citizenship. The new requirements replaced an oral examination which had been in effect since 1890. Under Mississippi law, the circuit clerk in each county acts as registrar.

The panel of three judges dismissed the suit for the following reasons:

(1) The State has a "sovereign right to prescribe and enforce the qualification of voters."

(2) The new literacy requirements contained in the 1954 amendment are "reasonable" and "moderate" in "this day of mass education," and are, in fact, more liberal than was the oral examination when it was first prescribed in 1890;

(3) Rights of applicants for registration are fully safeguarded by provisions requiring that written applications be retained as permanent records;

(4) Plaintiffs Darby and Dillon failed to show that they were qualified to vote, and did not demonstrate their ability to pass the literacy requirements; and

(5) The court could find no proof that Negroes were discriminated against.

The three-member court which heard the case was composed of Judge Ben Cameron of the 5th U. S. Circuit Court of Appeals and Federal District Judges Sidney Mize and Claude Clayton.

In a lengthy and carefully-worded opinion, the court reviewed Darby's four unsuccessful attempts to register, together with his concurrent complaint to President Eisenhower which brought on a Federal investigation of Circuit Clerk Daniel, and the subsequent filing of the suit with NAACP assistance.

#### UP TO THE STATES

The qualification of voters is a matter committed exclusively to the States, the court said, citing several U. S. Supreme Court decisions to back up this point. One citation holds that the privilege to vote is "not given by the Federal Constitution," and "does not follow from mere citizenship of the United States."

Concerning the attack on the constitutionality of the 1954 Constitutional amendment which increased voter qualifications, the court wrote: "It is plain that what plaintiffs complain of is, not that the words used in the amendment are vague and indefinite, but that the literacy test imposed by (See VOTING, P. 3)

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## One-Way 'Liberals'

The Federal court decision upholding the constitutionality of Mississippi's voter registration laws comes as a major breakthrough in the field of States' Rights, in the opinion of many top members of the legal profession.

A full and complete report on this momentous decision will be found on Page 1 of this publication. But, we are sorry to add, that is one of the few places where it may be found. And our many readers outside the South will probably get their first news of this decision from our detailed story.

To the best of our knowledge, not one single account of the court's ruling has appeared in the Northern press; not one word concerning it has been broadcast by the national television and radio networks.

Not being in the confidence of those who control the national news media, we can only guess why they chose to ignore this story. Certainly, they were zealous in their reporting efforts when the NAACP first filed the suit. And we can safely assume that if the verdict had favored the other side—if the NAACP had won the case—Mississippi would have become a scapegoat overnight, with words of condemnation heaped upon the state from all parts of the country.

We can state positively that the importance of this decision was emphasized to a number of supposedly-objective communications media. But those with decision-making power, after being apprised of the forthright language of the opinion, promptly rolled down the paper curtain of censorship. This, they decided, is news best kept hidden; otherwise, some restless souls up North might get ideas about doing the same thing—and, horror of horrors, this might wipe out minority group bloc voting.

Besides, we cannot conceive of any mis-named "liberal" editor in the North with guts enough to risk the wrath of assorted alphabetical minority groups by conceding the simple fact that there exist in the South not just one, but several Negroes incapable of demonstrating the simplest command of written and spoken English.

One of our Southern journalistic colleagues suggests that a famous newspaper might well change its slogan to: "All the news we see fit to print."

The realization is gradually dawning on us in the South that this "liberalism" we are called upon daily to accept, if not embrace, is as phony as a Confederate 3-dollar bill with U. S. Grant's portrait on it.

The very "liberals" who so proclaim themselves most stridently are the first ones to ring down the paper curtain to bar any nugget of truth that fails to fit their preconceived and misguided image of "liberalism."

These same counterfeit "liberals" are the ones who give page one play in the metropolitan Northern press to any isolated race incidents in the South, while relegating the bottom of page 23 or omitting altogether from their journals the daily multitude of inter-racial stabbings, shootings, sex crimes and related sociological phenomena occurring daily in their own integrated paradise.

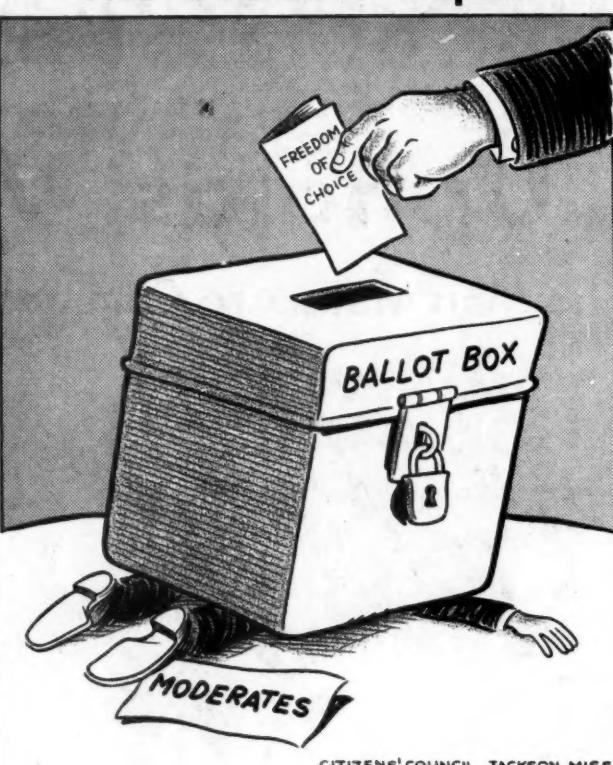
It's too much to expect the ordinary rules of decency and fair play to apply to these exalted minnows of the North's minds. These phony "liberals" are too busy reforming the South—that is, dragging us down to the rabble-ruled standards of their own slum-ridden Meccas.

We might observe that the patron saint of liberals, Voltaire, once said: "I disagree with what you say, but I will defend to the death your right to say it."

But where is the Northern "liberal" making a conscientious effort to report the South's position in the current controversy? Where is the objective mind, seeking to report all sides of an issue fairly? Such men—most of them, at least—have been silenced by avarice or the demands of politics.

What is it these one-way "liberals" fear? Have they so little confidence in their ability to brainwash their people that they are terrified at the thought that a grain of fact might sprout among their weeds of vilification and propaganda? Or is their fear the one shared by all forces of evil in the face of the power and might of a dedicated people, armed with zeal and clothed in the raiment of truth?

## The Secret Weapon



CITIZENS' COUNCIL, JACKSON, MISS.

## Sic Semper 'Moderation'

Those slow, dejected footsteps you hear echoing hollowly down the halls of Southern politics don't belong to some ghost out of the distant past. They are the footsteps of a forlorn few who were exposed to public view in that most embarrassing of political poses—astraddle a fence. They are the departing sounds of those who tried to beat the odds—who bet that they could work both sides of the street without being detected.

It goes without saying that they lost. The election is over. We have refrained from indulging in partisanship until now, and we shall continue that policy. To do otherwise would be wasted effort—defeat at the polls is the worst fate that can befall a politician, and our few words of contempt would likely fall on ears still a-pounding from the shellacking they absorbed November 4th.

Yes, the election is over. Come next year, new governors will be moving into some of our Southern statehouses. In Alabama, Georgia, South Carolina and Tennessee, the electorate has chosen governors pledged to maintain our customs and traditions. That they succeed in so doing is our fondest hope. And to us, it appears that in two of the aforementioned states, any change would have been for the better.

In Washington, too, the effects of the new Southern solidarity will be felt. A new face will appear in the House of Representatives, representing the 5th District of Arkansas. And the presence in Congress of Dr. Dale Alford is living proof of the tidal wave of determination now sweeping our region.

Dr. Alford announced his candidacy just eight days before the election. And yet, he scored a stunning write-in victory over "moderate" Brooks Hays, a veteran of 16 years on Capitol Hill. Hays ran on his record—his record as a "moderate." And Hays was soundly defeated by a Little Rock physician who had only eight short days in which to wage his campaign.

Hays, who mixed politics and religion by becoming president of the Southern Baptist Convention, pulled out all the stops in his campaign. Distant acquaintances were called upon to repay nearly-forgotten political debts. Hays is a "moderate." He ran as a "moderate." And he was defeated. Why? It's simple.

Dr. Alford put it this way: "A 'moderate' attitude on integration only ends in integration for us here at home." He campaigned on that basis, and he won.

The new Congressman adds this appeal: "More substantial, fine, old family-type Southerners must take up the fight to curtail the illegal activities of the U. S. Supreme Court."

No demagoguery there. No impassioned call to violence. Just a plea for action. And action is what the people want. Not "moderation"—but action.

After the ballots were counted, let it be noted, after the titanic proportions of his defeat became known, "moderate" Hays hurried from Little Rock to the sanctuary of Washington, summoned a group of newsmen, "moderates" all, and proceeded to unleash a highly-immoderate attack on those whom he suspected of aiding in his defeat. There, basking in the declining glory of his self-proclaimed "moderation," Hays vowed to go about the world doing good . . . but reserving the right to vilify anyone daring to be so audacious as to disagree with him.

We suspect that the advocates of appeasement, of surrender-in-advance which has been mis-named "moderation," will remember this election for many a year. We also suspect that the people will remember. If that be the case, then the South may look forward to a glorious new era . . . to an end of hypocrisy in public life . . . and to a time when all elected officials will, in emulation of Dr. Alford in Little Rock and others elsewhere, let the people know positively, forthrightly, and without hedging where they stand on the great issues of our time.

Meantime, the "moderates" in the South are consigned to oblivion. They have gone the way of the Whigs, while emitting the bellows of a Bull Moose in the process. May their tribe decrease!

## Report From Tennessee

By Richard Burrow, Jr.

One of the main reasons responsible Tennesseans have opposed the Communist-spawned project of integration is that they wished to avoid the violence that always seems to go hand in hand with forced race-mixing.

The only two communities in the state to experience destruction of property are the only two which have been forced to mix the races.

The Tennessee Federation for Constitutional Government, under the capable leadership of its chairman, Dr. Donald Davidson of Vanderbilt University, deserves a great deal of credit for preventing a complete breakdown of law and order by using every legal means to uphold the Constitution of the United States as written by the Founding Fathers—not as rewritten by the U. S. Supreme Court.

There have been no racial disorders in any Tennessee locality where segregation has been maintained. The separate-but-equal doctrine promotes racial peace; the race-mixing theory leads to violence. Informed Tennesseans are fed up with integration and turmoil. If Governor Buford Ellington lives up to his campaign pledges, Tennessee may once again have racial harmony.

Union City—Representative Robert A. (Fats) Everett (D-Tenn) recently assailed the U. S. Supreme Court for embarking upon an era of "government by decree."

He said the court's present members have established themselves "as a high-handed group bent upon inflicting their will upon the people, regardless of the costs or consequences."

Congressman Everett declared that Congress must curb the court or "see the nation succumb to rule by judicial fiat, backed by Army bayonets."

"If undeterred," he predicted, "the Supreme Court will replace Congress as the nation's law-making body, and representative government will be dead."

Jackson — The Madison County chapter of the Tennessee Federation for Constitutional Government has been publishing, as a public service, a series of paid advertisements in the local daily newspaper, to alert the people to the dangers of the NAACP and Federal tyranny. Officers of this wide-aware county organization are A. S. Ingram, chairman; Ted Cunliffe, secretary; Mrs. Frank Dail, assistant secretary; and Russell Robins, treasurer.

Clinton—Attorneys for six Anderson County residents have appeared before a U. S. Circuit Court of Appeals in Cincinnati, Ohio, to seek reversal of their clients' convictions on contempt charges growing out of last year's school integration troubles in Clinton.

The attorneys who asked for release of the six were Robert L. Dobbs of Memphis, William Shaw, special assistant attorney general of Louisiana, and Ross L. Barnett of Jackson, Miss.

Barnett criticized the government's procedure during the original contempt trial. He said Federal prosecutors called several Negro witnesses to the stand, and that the government had obtained advance statements from the Negroes. Barnett added that the defense was unable to interview the Negro witnesses before the trial began.

Dobbs was critical of U. S. deputy marshals who rounded up the Anderson Countians named in the court's injunction. One expectant mother, he said, "who wouldn't weigh 98 pounds soaking wet," was handcuffed "and paraded past a hungry press like a prisoner of war."

He said the "excessive bonds" set for the defendants (ranging from \$5,000 to \$12,000) was indicative of the Government's intention "to punish these people and hold them up as examples" to anyone else who might oppose integration of the classrooms.

Marshal Frank Quarles testified during trial that the defendants were handcuffed "on orders" from the Justice Department.

"To steal a phrase from the President of this country," Dobbs said, "these defendants were not Babylon Face Nelsons or John Dillingers. They were just ordinary mountain folks, yet the Government placed great significance on these people who were looking in on a group of Negroes going to school down there in Clinton."

## New Jersey

Dear Sir:

Enclosed please find a money order for a subscription to your newspaper. I recently received my first copy from a friend, and I heartily agree with your work. Let's expose the hypocrites who do not live up to what they preach.

Best wishes,  
 C. C.  
 Irvington, N. J.

# Voting Laws Upheld

(Continued from p. 1)

the amendment is slightly more onerous and exacting than that of the original. They complain that the amendment requires an applicant for registration to read and write a section of the Constitution. Certainly the original requirement (the 1890 oral examination, which was upheld by the U. S. Supreme Court—Ed.) was more rigorous at the time of its enactment than was the amendment when it was adopted.

The Constitution of 1890 was passed when Negroes had just emerged from complete illiteracy, and when both Negroes and whites had passed through two decades of the tragedy of Reconstruction when efforts at education were close to the vanishing point. After six decades of an increasingly competent educational system, it seems moderate indeed for the electorate to lay upon itself the obligation of being able to read and write the basic law of the Commonwealth. Understanding and interpretation formed a part of the 1890 oral test, and they seem all the more proper in this time of general enlightenment."

At this point, the court quoted figures from last year, when 268,246 Negroes and 281,884 whites attended Mississippi public schools.

#### STATE 'REASONABLE'

Referring to the requirement that registrants write a brief essay to demonstrate "a reasonable understanding of the duties and obligations of citizenship under a constitutional form of government," the judges held:

"At a time when alien ideologies are making a steady and insidious assault upon constitutional government everywhere, it is nothing but reasonable that the States should be tightening their belts and seeking to assure that those carrying the responsibility of suffrage understand and appreciate the form and genius of the government of this country and of the States."

The opinion continues: "Literacy tests for prospective voters have been in effect in this country for a century, and no case has been brought before us holding that the people of a state have placed themselves under too heavy a burden in setting the standards which will earn the right to vote, and none condemning a literacy test as such."

"Plaintiffs concede," the opinion noted, "that it is proper for Mississippi to enact reasonable literacy requirements for voting. That concession is bound to include the unquestioned concept that it is the states which have plenary and exclusive power to determine what is reasonable."

#### SAFEGUARDS PRAISED

The Federal panel pointed out that the circuit clerk does not have arbitrary and uncontrolled discretion in passing on the qualifications of prospective registrants. Disappointed applicants have the right of appeal to an administrative agency—the board of election commissioners, and may also appeal through the courts.

In fact, the opinion states, "It would be hard to conceive of constitutional provisions which safeguard the rights of applicants for suffrage as well as do the ones under attack. A permanent record is made on forms prepared by state officers and applying uniformly to all applicants, so that anything smacking of discrimination can easily be checked by examination of the public records."

In response to NAACP claims that the 1954 Amendment was passed to curb Negro voting, the court pointed out an "interesting comparison" showing that counties with the smallest numbers of Negroes on the voting rolls balloted heavily against the amendment, while counties with larger numbers of Negro voters generally supported it.

The court rejected the argument that the purpose of the amendment was to discriminate against Negro applicants. The NAACP lawyers attempted to link the amendment with several bills passed by the Mississippi Legislature since the 1954 U. S. Supreme Court school integration decision.

sion. "The argument, like those which precede it, is lacking in force," the court held.

#### COURT NOT PSYCHIC

The opinion continues: "Having failed to produce any tangible proof to sustain this position, plaintiffs finally call upon us to supply the lack by judicial notice. In other words, we are importuned to rule without proof that, on its face or by reason of its unrevealed sinister "purpose," the constitutional amendment is void. The showing before us wholly fails to warrant serious consideration of so condemning a whole people, which is what we would have to do if we accepted plaintiffs' argument. Neither proof nor judicial knowledge tend to sustain plaintiffs' position."

"Even if we had such knowledge by some sort of occult power of divination, we would not have the competence to do what plaintiffs advocate. No case is cited as a precedent for such action, and no proof is offered to sustain it. If we should imagine ourselves possessed of such omniscience and omnipotence, we would find ourselves confronted by a vast array of authority which forbids questioning the motives even of a legislature, certainly of a sovereign people."

"We hold, therefore, that plaintiffs have wholly failed to establish that the amendment is void on its face or because it was the product of base motives. We hold, on the other hand, that said amendment and the statutes passed in connection with it are valid on their face and in fact, and are a legitimate exercise by the State of its sovereign right to prescribe and enforce the qualification of voters."

#### NEGROES FAIL QUIZ

Next, the jurists turned their thoughts to considering whether any racial discrimination was, in fact, practiced against the plaintiffs in administering the registration law. The opinion found in the negative.

Plaintiff Dillon, conceding that she was properly given the written test provided by the amendment, failed to produce a copy of that test for the Court's inspection. She did not demonstrate in her oral testimony the possession of the qualifications provided in the Mississippi Constitution and statutes, and there is no proof at all, therefore, that she had any status to maintain this action."

As for Darby, the judges found that he had consulted a lawyer and written President Eisenhower at least one month before his first attempt to register. The attorney promptly contacted the NAACP, which agreed to pay all expenses of any court action.

In his first application, dated June 29, 1956, Preacher Darby gave his occupation as "farmer." The court says the entire case is based on another application, filed by Darby at his lawyer's direction on June 22, 1957. This document, read in the light of the testimony of plaintiff Darby, reveals several deficiencies, the court noted.

#### CAN'T WRITE, WON'T READ

"He made no answer to Question 14 inquiring if he had ever been convicted of the crimes enumerated in the question; considerable portions of the answers written by plaintiff are illegible."

In response to Question 18 calling upon him to copy Section 123 of the Constitution of Mississippi, he wrote six lines not called for by the question and not possessing marked coherence."

Section 123 reads, in its entirety: "The Governor shall see that the laws are faithfully executed."

The opinion states, "In giving his reasonable interpretation of that section he wrote:

"the governour goevnors all the works of the state and he is to see that all the violators be punished and als he can p a r d o n out the penetenter ane pherson."

"In answering Question 20 which directed him to write his understanding of the duties and obligations of citizenship under a constitutional form

of government, he wrote five lines which could hardly be called accurate or responsive to the question."

Here's what Darby wrote: "a citizen is person has been in the USA all his days, and is not been convicted of enny crimes and has been Loyal to his country and pase all his tax."

The judges continue:

"That he could not write legibly is exemplified by examination of the several documents in the record written by him, and is further attested by the fact that the letter he sent the president was written entirely by someone else, including the signature. He did not attempt, while on the witness stand, to demonstrate that he could read."

"Every other Negro witness he placed on the stand was given a section of the Mississippi Constitution to read before the Court, but plaintiff himself did not attempt to show his ability to read."

"The evidence does not, therefore, support the burden imposed on the plaintiffs to show that they were qualified to be registered as voters. It clearly does not establish that defendant Daniel did not act in good faith or exercise a sound discretion when he made his decision that plaintiffs had not passed the examinations given them."

"It is not our province to set ourselves up as registrar of voters," the judges wrote, adding that some of the testimony given by the 15 Negroes who took the stand during the trial "certainly demonstrated the absence of qualifications of the applicants."

#### A LITTLE LEARNING

"For example, when called upon by Question 18 to copy Section 198 of the Mississippi Constitution, Johnnie B. Darby, plaintiff Darby's wife, wrote:

"I have so agreed to be as good a citizen as I possible can I have not yet read the Constitution of Mississippi I do try to abide by truth and right as the almighty god privide the understanding and wisdom."

Another witness was called upon to copy Section 16 of the Constitution, which reads: "Ex post facto laws, or laws impairing the obligation of contracts, shall not be passed."

The Negro, according to the court, copied the section thusly: "Ex post facto laws or laws impairing obligations contrare St. Shall Be passed." Interpreting that section, the same witness wrote:

"a man must pay pold tax befor he eageable to votat."

With wry humor, the judges added: "This witness gave his occupation as that of teacher."

Concluding that the testimony of the Negro witnesses contributed little to the solution of the case, the opinion continued:

"The essence of the action before us, therefore, is discrimination on the part of the defendant Daniel—discrimination against plaintiffs, Negroes, and in favor of white persons."

#### NO BIAS FOUND

"After listening to the oral testimony and examining the documents carefully we are unable to find any tangible or credible proof of discrimination. There is no proof that any white person was ever treated in any manner more favorably than plaintiffs or any other Negroes."

"The mere showing that of 3,000 qualified voters in Jefferson Davis County, only forty to fifty are Negroes is not sufficient. Plaintiffs carry the burden of showing that plaintiffs have been denied the right to register because they are Negroes, and that white people similarly situated have been permitted to register. This record contains no such proof."

"The disparity between numbers of registrants, as has been so often pointed out, results doubtless from the fact that one race had a start of several centuries over the other in the slow and laborious struggle toward literacy."

#### CLERK PRAISED

"This record does not, in our opinion, show that defendant (Circuit Clerk Daniel) has practiced discrimination. From our observation of his demeanor during the trial and while on the witness stand and of the evidence generally we are convinced that he has shown himself to be a conscientious, patient and fair public official, exerting every effort to do a hard job in an honorable way."

After spelling out in technical legal language why the NAACP cannot bring this action under the 1957 Federal Civil Rights law, the 47-page opinion ends with these words:

"It results from the foregoing views that plaintiffs are not entitled to any of the relief sought. We are, therefore, entering an order dismissing the complaint."

"DISMISSED."

## Citizens' Council Forum

on **TV** and  
**RADIO**

THE AMERICAN VIEWPOINT  
WITH A SOUTHERN ACCENT

### TELEVISION

#### ALABAMA

Dothan—WTVY-TV Channel 9, Wednesday 10 p.m.

Florence—WOWL-TV Channel 15, Sunday 2:45 p.m.

Montgomery—WCOV-TV Channel 20, Sunday afternoon.

#### ARKANSAS

Little Rock—KATV Channel 7, Monday 6:15 p.m.

#### LOUISIANA

Lafayette—KLKY-TV Channel 10, Sunday 3:45 p.m.

New Orleans—WJMR-TV Channels 12 and 20, Sunday 6 p.m.

#### MISSISSIPPI

Columbus—WCBI-TV Channel 4, Friday 5:45 p.m.

Jackson—WLBT Channel 3, Sunday 3:30 p.m.

Jackson—WJTV (TV) Channel 12, Sunday 11:15 p.m.

Tupelo—WTTW (TV) Channel 9, Sunday 2 p.m.

#### TENNESSEE

Johnson City—WJHL-TV Channel 11, Schedule not received.

#### VIRGINIA

Hampton-Norfolk—WVEC-TV Channel 15, Saturday afternoon.

Richmond—WTVA (TV) Channel 6, Monday 6:30 p.m.

### RADIO

#### ALABAMA

Dothan—WDIG (1450 kc.) Wednesday 6:15 p.m.

Evergreen—WBLO (1470 kc.) Sunday 2 p.m.

#### ARKANSAS

Benton—KBBA (690 kc.) Thursday 7:35 a.m.

Helena—KFFA (1360 kc.) Monday 9 p.m.

#### DISTRICT OF COLUMBIA

Washington area—WFAX (1220 kc.) Sunday 12:30 p.m.

#### FLORIDA

Crestview—WJSB (1050 kc.) Wednesday 8:45 a.m.

Kissimmee—WRWB (1220 kc.) Schedule not received.

Orlando—WKIS (740 kc.) Schedule not received.

#### GEORGIA

Atlanta—WAGA (590 kc.) Schedule not received.

Atlanta—WYZE (1480 kc.) Sunday 7 p.m.

Cordele—WMJM (1490 kc.) Schedule not received.

Dalton—WRCD (1430 kc.) Saturday 7 a.m.

Monroe—WMRE (1490 kc.) Saturday 12:30 p.m.

Winder—WIMO (1300 kc.) Monday 10:45 a.m.

#### LOUISIANA

Homer—KYHL (1320 kc.) Sunday 1 p.m.

Houma—KCIL (1490 kc.) Sunday 5:15 p.m.

Jonesville—KLEC (1480 kc.) Sunday 8:45 a.m.

Opelousas—KSLO (1230 kc.) Friday 6:30 p.m.

#### MISSISSIPPI

Aberdeen—WMPA (1240 kc.) Friday 5:30 p.m.

Brookhaven—WJMB (1340 kc.) Wednesday 2:15 p.m.

Canton—WDOB (1370 kc.) Thursday 10 a.m.

Clarksdale—WROX (1450 kc.) Monday 12:15 p.m.

Cleveland—WCLD (1490 kc.) Sunday 5:45 p.m.

Columbia—WCJU (1450 kc.) Monday 7:45 a.m.

Columbus—WACR (1050 kc.) Friday 12 noon.

Forest—WMAG (860 kc.) Sunday 7:15 a.m.

Greenwood—WCRM (1240 kc.) Monday 9:05 p.m.

Indianola—WNLA (1380 kc.) Sunday 1 p.m.

Jackson—WJDX (620 kc.) Saturday 12:45 p.m.

Kosciusko—WKOZ (1350 kc.) Sunday 12 noon.

Louisville—WLSM (1270 kc.) Saturday 12:45 p.m.

McComb—WAPF (980 kc.) Saturday 8 a.m.

Natchez—WMIS (1240 kc.) Sunday 3 p.m.

#### TENNESSEE

Milan—WKBG (1600 kc.) Sunday 3 p.m.

Murfreesboro—WGNS (1450 kc.) Sunday 9 p.m.

#### TEXAS

Brownsville—KBOR (1600 kc.) Tuesday 8 p.m.

Carthage—KGAS (1590 kc.) Sunday 12:45 p.m.

Edinburg—KURV (710 kc.) Sunday 10 p.m.

Gainesville—KGAF (1580 kc.) Sunday 5:15 p.m.

Junction—KMBL (1450 kc.) Sunday 9:15 p.m.

Kermit—KERB (600 kc.) Saturday 5 p.m.

Pasadena—KRCT (650 kc.) Sunday 4:30 p.m.

Terrell—KTER (1570 kc.) Monday 6:30 p.m.

Tyler—KTBB (600 kc.) Sunday 5:45 p.m.

#### VIRGINIA

Charlottesville—WCHV (1260 kc.) Sunday 7:45 p.m.

Falls Church—WFAX (1220 kc.) Sunday 12:30 p.m.

Gloucester—WDDY (1420 kc.) Sunday 12:45 p.m.

Norfolk—WLLOW (1400 kc.) Schedule not received.

Richmond—WMBG (1380 kc.) Sunday 10 p.m.

South Boston—WHLF (1400 kc.) Sunday 5:45 p.m.

## SUBSCRIBE NOW

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## Book Reviews

### COLOR, COMMUNISM AND COMMON SENSE

By: Manning Johnson

Publisher: The Alliance, Inc.

Copies may be obtained by writing to the Alliance, Inc., 200 East 66th Street, New York 21, New York.

Price: \$1.00 (Volume prices upon request)

Manning Johnson was a member of the Communist Party for ten years, during which time he "labored in the cause of Communism" as a devoted "comrade."

He broke with the Party in 1940, and since that time has cooperated with various State and Federal agencies in the investigation and prosecution of Communists.

Manning Johnson is a 50-year old Negro. He tells a story that is revealing and untainted of his years as a top Negro Communist, in his booklet, "Color, Communism And Common Sense."

Like many others of his race, Johnson was reared in a Christian home and his religious belief was a main obstacle to his joining the Communist Party. In his first association with the Red movement, the Communists urged him to become an atheist before becoming a member of the Party. He did not become an atheist, but did suppress his religion and went to work for the Communist cause, being convinced that this was far more important than his beliefs in God and religion.

Manning Johnson was lured into the Communist Party mainly through the writings of a "renegade" Protestant Bishop and through membership in the American Negro Labor Congress, a front organization designed to penetrate non-Party groups and tie them up with the Red movement.

Johnson tells how the Communists spent two years training him in the art of "Inciting mob violence, organizing street demonstrations and fighting the police." After this, he was ready for a top Communist school — an extensive and intensive course in the theory and practice of red political warfare.

In his book, Johnson reveals many shocking and crude tactics carried on by the Party, such as the "bedroom politics" of the white women Communists toward their male Negro comrades to gain invaluable information for the Red hierarchy and at the same time maneuver Negro Reds into compromising positions that, if revealed, would be disgraceful. In this way, these Negroes were even subject to blackmail if they considered leaving the Communist Party. According to Johnson, the use of sex and perversion is a common practice as a means of political blackmail in the Party.

Stirring up race and class conflict is the basis of all discussion of the Communist Party's work in the South. Johnson says the Communists pretend to speak in behalf of all the Negro population but it is mainly the Negro "intellectuals" who "carry the ball" for the Party and believe their "blandishments."

Revealing the pattern of Red operation with the Negro "intellectuals" — the ministers, professionals, etc., Johnson reports that the Communists have always looked upon this group as "incompetents" and "phrasemongers" and tells how these "superficial phonies" by bribery, were used to serve the cause of Communism.

He cites many examples of the "harmful and deadening effect of Communist integration on any proposal for constructive Negro projects", of the Communists who hold such embittered race prejudices against their Negro comrades and how these prejudices cause racial strife within the framework of the Party itself.

Referring to the racial problems as we know them today, Johnson charges that "at the root of all the present racial trouble is interference in the internal affairs of Southern states by people not at all interested in an amicable settlement — the modern day carpet-baggers."

And the "Negro is the sacrificial lamb—the innocent victim of widespread racial hate which the Leftists are creating."

The stage is thus set for the opening of a dark and bloody era in Negro and white relations," he writes.

Johnson says "too few Americans in our day have the courage of their convictions . . . too few will stand up for truth in the face of the ominous and destructive storm of 'metoism' or the Communist ideological regimentation that hangs like a pall over our country."

He believes that the average American Negro feels a deep racial consciousness and that he has the same instinctive urge to group together as do other racial groups.

He says that they desire progress through education, reliability, know-how and productivity even though a number of Negro intellectuals try to convince them that discrimination is a good substitute.

The Negro intellectual, as Johnson displays in his writings, is physically free but mentally a slave. Incapable of throwing off their "slave psychology," they easily fall prey to the Reds. Feeling frustrated or inferior, they turn to Communism and with their comrades "turn race relations into shambles."

Johnson, experienced in Communist tactics, warns these "victims" in "Color, Communism And Common Sense," but adds that those who don't heed this advice . . . deserve whatever Red reward is due them."

### THE SOUTH: LAST BULWARK OF AMERICA

By Frank E. Westmoreland

Vantage Press, New York \$3.50

Writing of the South, Frank Westmoreland gives his analysis of what is taking place in the political areas today. He fires away at the Northern "liberals", the Communists and their cohorts in the NAACP for their slams against the South.

Westmoreland lives in Virginia and is a staunch Southerner, a believer in States' Rights, segregation and the Southern people as the "first settlers, the first to institute representative government, and the first to seek independence."

The opening sections of his book are devoted to an historical background of the political beliefs and laws of the South, many of them stemming from early associations with England as a colony, and from the guidance of such men as Washington, Jefferson, and Madison.

In a chapter "The Nation and World from a Southern Viewpoint" he envisions four manifestos by which the Communist goal—that of complete destruction of the South and America—could be achieved. Desegregation, the corruption of present-day marriage laws, complete control of Southern and border states, and finally, the complete control of the United States—these are the conniving schemes of the Communists, and for the workability of this plan, Westmoreland blames the American people for placing themselves in the role of hypocrites by their passive resistance to their enemies.

In this connection, Westmoreland sees the Negro being used as a "pawn and a disguise and as a means of centering or focusing American public attention on one area and one problem, while the control forces consolidate their plans and forces to further that control."

He sees the South as the last bulwark for upholding constitutional law and individual freedom, and predicts that when this area is gone, so will America and its democratic concepts be gone. "The feudal serf of the Middle Ages was a fortunate man to what the Communists have in store for you," he warns.

"The South: Last Bulwark Of America" is an eye-opener—if you want it to be—to the possible future course this nation could take. Says Westmoreland: "You'd better wake up, America. These madmen (the Communists) will not wait on you and will take you while you dawdle and while you sleep. The decision you have to make is logical and obvious; you are required to put up the faith, belief and courage. Do you have it? History awaits your decision. You are on trial, the world is the jury, and God Almighty your one and only Judge."

Westmoreland suggests several remedies. The principal one is a "Freedom of Choice" Constitutional Amendment proposed by Aldrich Blake which would provide that the states control their schools and all intra-state public agencies such as swimming pools, parks, etc. The "Freedom of Choice" amendment would also protect the right of owners and operators of hotels, restaurants, etc. to choose their own patrons; the right of employers to choose their own employees without impairment, the right of organized labor to bargain collectively; the right of private clubs and associations to choose their own guests, patrons and members; and the right of property owners to exercise restrictive covenants.

It will come as a shock to many to realize that these basic individual rights, all covered under the reserved powers of the Constitution, and which have always been taken for granted, have not only been infringed upon by the U.S. Supreme Court, but by the so-called anti-discrimination laws in a number of Northern states under Negro political domination.

## News From The Local Councils

(Editor's note — Officers and members of local Citizens' Councils are invited to submit items of interest concerning their activities. We will print as many as space limitations will permit.)

"The present justices of the U.S. Supreme Court have assumed powers illegally," charged Representative John Bell Williams (D-Miss.). Addressing a Citizens' Council meeting at Liberty, Miss., this month, Williams added that "the framers of the Constitution assumed the Supreme Court would be composed of honest men, but I'm afraid they would be disappointed now."

A new Citizens' Council has been formed in Hartsville, S. C. A recent public meeting was addressed by B. A. Graham, chairman of the Citizens' Councils of South Carolina, and by Carl Floyd and the Rev. Marion Woodson, both of Olanta, S.C.

The executive secretary of the Hartsville Citizens' Council, George Waring, urged members to "come, bring your wife, your pastor and your friends."

The secretary of the Citizens' Council in Hattiesburg, Miss., D. B. Red, is author of a pamphlet on the segregation question.

Titled "A corrupt tree bringeth forth evil fruit," the pamphlet is available from Red, at 15 cents for single copies, or 8 copies for \$1.

The South Louisiana Citizens' Council has been formed to meet a growing need for expansion of the Citizens' Council movement in the area, and to augment the work of other local Councils.

The South Louisiana group will consist of members from New Orleans and the South Louisiana parishes. A particular aim of the new Council is organization of areas not yet reached by other Councils.

Joseph E. Viguierie, a New Orleans businessman, was elected president of the new group. Other officers are Hubert J. Badeaux, Jr., first vice-president; Frank H. Renaudin, Jr., second vice-president; Robert A. Pitre, secretary; William G. Scheurer, treasurer; and Jack Ricau, executive director.

Directors include the officers and Harold J. Calder, Joseph E. Viguierie, Jr., L. L. Lassalle, Charles R. Thomas, Ellis J. Cambre, Daniel W. Parker, J. L. Shelton, C. P. Rousseau, and J. A. Wilkes.

President Viguierie says "The South Louisiana Citizens' Council will endeavor to work in harmony with non-affiliated local Councils in all activities to bring about the fulfillment of the overall aims and purposes of the Citizens' Council movement."

All of the new group's officers have been active in Citizens' Council work for several years. Temporary headquarters have been established in Metairie, La., and the organization's mailing address is P. O. Box 283, Metairie, La.

A pamphlet containing helpful suggestions for organizing Citizens' Council membership drives has been issued by the Louisiana state office.

Entitled "Manual for organization of membership drive," the pamphlet also includes a list of suggested reference sources and literature for prospective members.

Copies of the pamphlet may be obtained by writing the Association of Citizens' Councils of Louisiana, P. O. Box 749, Homer, La.

### Attention Council Officers

Do you need literature for distribution at your meetings?

We will be glad to send you, with our compliments, limited supplies of back issues of THE CITIZENS' COUNCIL upon request.

### North Carolina

Dear Editor:

Enclosed is \$2 for my renewal to the finest newspaper in the South—The Citizens' Council.

Yours very truly,  
J. D. B.  
Burlington, N. C.

### Virginia

Gentlemen:

I am enclosing a check for a subscription to your paper. Keep up the good work.

Yours truly,  
C. S. C.  
Danville, Va.

## Negroes Date White Girls In Mixed School, Coed Says

Any "moderate" who still does not believe that mixing the races in public schools has a far-reaching social significance beyond the classroom is in for a rude shock when he reads "I Spent Four Years in an Integrated High School."

Appearing in the Nov. 7 issue of "U. S. News and World Report," the article was written by an 18-year-old white girl who was graduated last spring from an integrated high school in Milwaukee, Wis. The author is now attending college, and she asked that her name not be published.

The name of the school was also changed, to cloak the author's identity. But she says the 1,500 students were two-thirds white when she entered as a freshman, and had become two-thirds Negro when she graduated four years later.

The first-person account tells a behind-the-scenes story that illuminates with factual reality an area of inter-racial teen-age experience that has heretofore been camouflaged with gushing emotionalism.

There was no friction between the races, she wrote, because the white students bent over backwards to avoid it. The general tone of the article indicates, in fact, that white students, who were gradually becoming outnumbered by Negro classmates, chose the "easy" course. That is, rather than risk offending a Negro, the white students subjected themselves to a rigorous code of self-imposed thought-control.

An example of this "lesser of two evils" thinking is cited. Reporting numerous speeches on "brotherhood" during the school year, the co-ed says white students reacted to the compulsory brainwashing sessions "by keeping their mouths shut."

"If we had said anything," she wrote, "we would have felt obligated to defend our race, of course, and somehow it just didn't seem worth the trouble."

Even though trying her best to be liberal, the white girl recognized several marked racial differences. "Colored girls will leap into a hair-pulling session with little reluctance," she points out, "while white girls are generally content to make acid comments about each other."

Teachers frequently sported bruises and scratches bestowed upon them by the benevolent blacks, she reports. "But one Negro girl never had fights. No one wanted to tangle with her. She carried a six-inch blade in her purse and had everyone thoroughly intimidated."

Of course, the high school's standards changed. Courses requiring some degree of intellectual prowess, such as physics and foreign languages, were dropped from the curriculum.

### Patriotic Group Supports Council TV-Radio Series

A national patriotic organization has been urged by its Mississippi officers to give financial support to the "Citizens' Council Forum" for expansion of the popular television and radio series.

The 250 chapters of the Sons of the American Revolution (SAR), located across the nation, are urged to make substantial contributions to "Citizens' Council Forum" in an appeal signed by the Board of Governors of the SAR's Mississippi Society.

The Mississippi group said in part: "Conditions now exist throughout our nation that make it necessary for the Board of Governors of the Mississippi Society to bring to the attention of all the SAR Chapters in this State, and to SAR's all over the nation, that the Greenwood Chapter SAR, after several years of careful investigation and observation of the Citizens' Council, voted unanimously to make a substantial cash contribution."

The message pointed out that additional funds are needed to help defray production costs of the "Citizens' Council Forum" television and radio series, and to expand the series so that it may eventually be presented throughout the nation.

The statement continued: "The Citizens' Council is the largest and most successful organization in America which has as its only purpose the continual and consistent

protection of States' Rights, Racial Integrity, and Constitutional Government.

"It is brought to your attention that many men appearing on 'Citizens' Council Forum' are actually SAR's themselves, and many other persons have appeared there at the request of the SAR's. Ninety-five percent of the SAR's in Mississippi are members of the Citizens' Council.

"The Citizens' Council has taken up a fight we started, and it is winning on every front. We feel that it would be a great injustice for any SAR chapter to neglect to give, and give substantially, to this most worthy cause."

"Therefore, we the Board of Governors of the Mississippi Society SAR congratulate the Greenwood Chapter SAR for their contribution to the Citizens' Council. Because of the gravity of the situation, we call on each individual Society in this State, and all other States, if financially in their power, to do the same."

The Mississippi Board of Governors signing the appeal are: E. O. Johnson, Jr., Glen Allan; Dr. T. J. Kazar, Tchula; P. A. Jones, Lexington; E. A. Nichols, Jr., Greenwood; and Byron De La Beckwith, Greenwood.

(Editor's note — You, too, can help deliver the South's story to the rest of the nation. Mail your check today to Citizens' Council Forum, 813 Plaza Building, Jackson, Miss.)

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